



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Dennis E. Hallahan, Ralph
K. Weichselbaum, Donald
Kufe, Gregory S. Sibley
and Bernard Roizman

Serial No.: 08/540,343

Filed: October 6, 1995

For: **METHODS AND COMPOSITIONS
FOR VIRAL ENHANCEMENT
OF CELL KILLING**

CERTIFICATE OF MAILING
37 C.F.R. 1.8

RESPONSE TO 37 C.F.R. § 1.53(d) NOTICE

Assistant Commissioner for Patents
ATTN: **BOX MISSING PART**
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Application Under 37 C.F.R. § 1.53(d), mailed November 24, 1996, there are enclosed herewith:

- (a) Declarations executed on behalf of Dennis E. Hallahan, Ralph R. Weichselbaum, Gregory S. Sibley, Bernard Roizman and Donald Kufe;
- (b) Powers of Attorney on behalf of Arch Development Corporation and Dana-Farber Cancer Institute;

- (c) Declarations Claiming Small Entity Status executed on behalf of Arch Development Corporation and Dana-Farber Cancer Institute;
- (d) Our check in the amount of \$1,350.00 to cover the basic filing fee (\$375.00); surcharge for late filing (\$65.00); additional claims fee (\$210.00); and extension of time fee (\$700.00);
- (e) A Request for Extension of Time of four months to and including April 24, 1996. Should such request be absent, consider this such a request and authorization to withdraw the appropriate fee under 37 C.F.R. §§ 1.16 to 1.21 as stated below; and
- (f) A copy of Notice to File Missing Parts of Application-Filing Date Granted.

Assignments to Arch Development Corporation and Dana-Farber Cancer Institute and a check for \$80.00 are being filed under separate cover.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Arnold, White & Durkee Deposit Account No. 01-2508/ARCD:194/SER.

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully submitted,


Gary J. Sertich
Reg. No. 34,430
Attorney for Applicants

ARNOLD, WHITE & DURKEE
P.O. Box 4433
Houston, Texas 77210
(512) 418-3000
Date: April 9, 1996



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

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|--------------------|-------------|-----------------------|------------------------|
| APPLICATION NUMBER | FILING DATE | FIRST NAMED APPLICANT | ATTY. DOCKET NO./TITLE |
|--------------------|-------------|-----------------------|------------------------|

08/540,343 10/06/95 HALLAHAN

D ARCD: 194

0222/1124

ARNOLD WHITE AND DURKEE
P O BOX 4433
HOUSTON TX 77210-4433

DATE MAILED:

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**NOTICE TO FILE MISSING PARTS OF APPLICATION
FILING DATE GRANTED**

11/24/95

An Application Number and Filing Date have been assigned to this application. However, the items indicated below are missing. The required items and fees identified below must be timely submitted **ALONG WITH THE PAYMENT OF A SURCHARGE** for items 1 and 3-6 only of \$ 130 for large entities or \$ 65 for small entities who have filed a verified statement claiming such status. The surcharge is set forth in 37 CFR 1.16(e).

If all required items on this form are filed within the period set below, the total amount owed by applicant as a large entity, small entity (verified statement filed), is \$ 1300.

Applicant is given **ONE MONTH FROM THE DATE OF THIS LETTER, OR TWO MONTHS FROM THE FILING DATE** of this application, **WHICHEVER IS LATER**, within which to file all required items and pay any fees required above to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

1. The statutory basic filing fee is: missing insufficient. Applicant as large entity small entity, must submit \$ 750 to complete the basic filing fee.

2. Additional claim fees of \$ 420 as a large entity, small entity, including any required multiple dependent claims, cancel the additional claims for which fees are due.

3. The oath or declaration:

is missing.

does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date is required.

4. The oath or declaration does not identify the application to which it applies. An oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

5. The signature(s) to the oath or declaration is/are: missing, by a person other than the inventor or a person qualified under 37 CFR 1.42, 1.43, or 1.47. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

6. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

7. The application was filed in a language other than English. Applicant must file a verified English translation of the application and a fee of \$ _____ under 37 CFR 1.17(k), unless this fee has already been paid.

8. A \$ _____ processing fee is required since your check was returned without payment.
(37 CFR 1.21(m)).

9. Your filing receipt was mailed in error because your check was returned without payment.

10. The application does not comply with the Sequence Rules. See attached Notice to Comply with Sequence Rules 37 CFR 1.821-1.825.

11. Other:

Direct the response to Box Missing Part and refer any questions to the Customer Service Center at (703) 308-1202.

A copy of this notice MUST be returned with the response.

COPY TO BE RETURNED WITH RESPONSE